

JDL:SD

F. #2010R00503/OCDEF #NYYE638

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X

UNITED STATES OF AMERICA

- against -

LUIS MIGUEL CUBILLOS PEREZ,
also known as "Reves,"

JAIRO ALBERTO SANCHEZ BOLIVAR,
also known as "Pernilito,"

S U P E R S E D I N G
I N D I C T M E N T

Cr. No. 10-225 (S-8) (SJ)
(T. 18, U.S.C., §§
982(a)(1),
1956(a)(1)(A)(i),
1956(a)(1)(B)(i), 1956(h),
3238, 2 and 3551 et seq.;
T. 21, U.S.C., §§ 853(a),
853(p), 959(c),
960(b)(1)(B)(ii)
and 963)

Defendants.

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THE GRAND JURY CHARGES:

COUNT ONE
(Conspiracy to Launder Money)

1. On or about and between January 1, 1998 and May 20, 2010, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants LUIS MIGUEL CUBILLOS PEREZ; also known as "Reyes," and JAIRO ALBERTO SANCHEZ BOLIVAR, also known as "Pernilito," together with others,

U.S. DISTRICT COURT
EASTERN DISTRICT
OF NEW YORK

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did knowingly and intentionally conspire to conduct one or more financial transactions, in and affecting interstate and foreign commerce, to wit: the transfer and delivery of United States currency, which transactions in fact involved the proceeds of specified unlawful activity, to wit: narcotics trafficking, in violation of Title 21, United States Code, Sections 841(a)(1), 846, 952(a), 959(a), 960(a)(1) and 963, knowing that the property involved in the transactions represented the proceeds of some form of unlawful activity, (a) with the intent to promote the carrying on of the specified unlawful activity, contrary to Title 18, United States Code, Section 1956(a)(1)(A)(i), and (b) knowing that the transactions were designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership and the control of the proceeds of the specified unlawful activity, contrary to Title 18, United States Code, Section 1956(a)(1)(B)(i).

(Title 18, United States Code, Sections 1956(h) and 3551 et seq.)

COUNTS TWO THROUGH FIFTEEN
(Money Laundering)

2. On or about the dates listed below, within the Eastern District of New York and elsewhere, the defendant LUIS MIGUEL CUBILLOS PEREZ, also known as "Reyes," together with others, did knowingly and intentionally conduct and attempt to conduct one or more financial transactions, in and affecting

interstate and foreign commerce, to wit: the transfer and delivery of United States currency, which transactions in fact involved the proceeds of specified unlawful activity, to wit: narcotics trafficking, in violation of Title 21, United States Code, Sections 841(a)(1), 846, 952(a), 959(a), 960(a)(1) and 963, knowing that the property involved in the transactions represented the proceeds of some form of unlawful activity, (a) with the intent to promote the carrying on of the specified unlawful activity, and (b) knowing that the transactions were designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership and the control of the proceeds of the specified unlawful activity:

COUNT	APPROXIMATE DATE	APPROXIMATE AMOUNT OF U.S. CURRENCY
TWO	April 27, 2007	\$10,000,000
THREE	May 7, 2007	\$10,447,500
FOUR	June 26, 2007	\$12,250,000
FIVE	July 25, 2007	\$6,475,000
SIX	August 14, 2007	\$11,200,000
SEVEN	September 17, 2007	\$23,100,000
EIGHT	October 15, 2007	\$16,542,500
NINE	November 12, 2007	\$11,200,000
TEN	December 21, 2007	\$17,800,000
ELEVEN	January 9, 2008	\$11,200,000
TWELVE	February 19, 2008	\$15,050,000
THIRTEEN	March 4, 2008	\$11,550,000

COUNT	APPROXIMATE DATE	APPROXIMATE AMOUNT OF U.S. CURRENCY
FOURTEEN	April 3, 2008	\$11,200,000
FIFTEEN	May 10, 2008	\$8,400,000

(Title 18, United States Code, Sections
1956(a)(1)(A)(i), 1956(a)(1)(B)(i), 2 and 3551 et seq.)

COUNT SIXTEEN
(International Cocaine Distribution Conspiracy)

3. On or about and between January 1, 2002 and May 20, 2010, both dates being approximate and inclusive, within the extraterritorial jurisdiction of the United States, the defendants LUIS MIGUEL CUBILLOS PEREZ, also known as "Reyes,"

JAIRO ALBERTO SANCHEZ BOLIVAR, also known as "Pernilito,"

together with others, did knowingly and intentionally conspire to distribute and possess with intent to distribute a controlled substance, intending and knowing that such substance would be unlawfully imported into the United States from a place outside thereof, which offense involved five kilograms or

more of a substance containing cocaine, a Schedule II controlled substance, contrary to Title 21, United States Code, Sections 959(a) and 960(a)(3).

(Title 21, United States Code, Sections 963, 959(c) and 960(b)(1)(B)(ii); Title 18, United States Code, Sections 3238 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNTS ONE THROUGH FIFTEEN

4. The United States hereby gives notice to the defendants charged in Counts One through Fifteen that, upon their conviction of any such offenses, the government will seek forfeiture in accordance with Title 18, United States Code, Section 982, of all property involved in each offense of conviction in violation of Title 18, United States Code, Section 1956, or conspiracy to commit such offenses, and all property traceable to such property.

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third party;

(c) has been placed beyond the jurisdiction of the court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty; it is the intent of the United States, pursuant to Title 18, United States Code, Section 982, to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 982(a)(1))

CRIMINAL FORFEITURE ALLEGATION AS TO COUNT SIXTEEN

6. The United States hereby gives notice to the defendants charged in Count Sixteen that, upon their conviction of such offense, the government will seek forfeiture in accordance with Title 21, United States Code, Section 853(a), which requires any person convicted of such offense to forfeit any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of such offense, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of such offense.

7. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third party;

(c) has been placed beyond the jurisdiction of the court;

(d) has been substantially diminished in value; or


(e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 21, United States Code, Sections 853(a) and 853(p))

A TRUE BILL

FOREPERSON


LORETTA E. LYNCH
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

F. # 2011R02152

No.

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

LUIS MIGUEL CUBILLOS PEREZ, et al,

Defendant.

INDICTMENT

(T. 18, U.S.C., §§ 981(a)(1)C §§ 3551 et seq.)

A true bill.

Foreman

Filed in open court this ----- *day,*

of ----- *A.D. 20* -----

Clerk

Bail, \$ -----

Soumya Dayananda, Assistant United States Attorney, (718) 254-7996